

IN THE MATTER OF FCC DOCKET RM-10787

PROPOSAL TO ELIMINATE MORSE TESTING IN THE AMATEUR SERVICE

August 29, 2003

I. Introduction and Background

Apparently, the NCVEC wishes to equate amateur radio with commercial radio. Amateur radio is, has, and hopefully always will be an important backup communications resource in the event of emergencies. As such, amateur radio operators have a long tradition of using modes and equipment that have been “cast off” from the commercial services as being obsolete.

While CW *may* be obsolete in commercial circles, it is alive and well inside the Amateur Service. Therefore, the argument that “CW is obsolete in the commercial service, so we should discontinue testing” is a very dubious argument to make. If this is the case, all questions regarding CW, RTTY, and SSTV should be removed from the testing pools as these modes have been superseded in the commercial service by faster, more efficient modes.

II. Telegraphy requirement in the Amateur Service

It is true that CW is the only mode that requires a practical demonstration during the testing process. This is a result of the wording of the current regulation in place. Common sense indicates it is near impossible to determine whether or not an applicant can successfully comply with the regulation without actually testing the applicant. Therefore, testing is mandatory.

The CW requirement predates that requirement established by international treaty, and as such, should be considered independent of any treaty obligations. The fact that other member societies are removing their CW requirements should have no bearing on the actions of the FCC in this matter.

Any examination process can be considered an “unnecessary and artificial impediment to fuller use of the Amateur Radio Service”. The NCVEC openly asserts that the CW requirement is a barrier to upgrading for no-code Technician licensees. The same could be said of the General written examination—or for that matter *any* requirement the FCC puts in place. The FCC has stated many times before the purpose of the Amateur Service, and testing is the only way to ensure that unqualified individuals are not allowed access to amateur frequencies. The NCVEC also states:

It appears that the reason that many (no-code) Technician amateurs are not upgrading to license classes that require telegraphy suggests that the Morse code requirement *may* be a significant barrier. {Italics added by author}

Is CW testing a significant barrier? As of July 27, 2003 out of an amateur population of 686,634 there were at least 362,257 licenses active that required a CW exam element (statistics courtesy of www.ah0a.com). In other words at least 52.7% of all amateurs currently licensed had to pass at least one CW exam. This number does not include licenses of Technician Plus class, as there is no way to separate these from the Technician (no-code) class. Within these numbers, we have Extra class licensees, some of which, passed 5, 13, and 20 WPM Morse examinations, Advanced and General class licensees, some of which passed both 13 and 5 WPM, and Novice licensees that successfully completed 5 WPM. If over 52% percent of all amateurs currently licensed passed a CW examination, how is that a “significant barrier”?

I would argue that no-code licensees do not upgrade because they become disinterested in amateur radio in general. In the early nineties, when the first restructuring of the Amateur Service took place, a large number of people (including myself) entered the ranks of the Amateur Service. Now, ten years later,

those same hams are now letting their licenses expire not because they couldn't upgrade; (in fact, some of them have) it is because the licensees have lost a fundamental interest in radio.

III. Morse code testing is a burden to the applicant

All testing, to be effective, must be a burden on the applicant. After all, how effective is a test if it requires no additional knowledge on the part of the applicant, and all applicants that take the test are successful? If the NCVEC is wishing for amateur tests to be completely stress-free, then they should volunteer to go to each applicant's residence at the applicant's leisure and walk each applicant through the test session question-by-question, element-by-element. In fact, using their own logic, the NCVEC should be in favor of the discontinuance of all testing...since *all* testing, to be effective, must be a burden (and therefore stressful) on the applicant.

The NCVEC makes the argument that once the CW examination is passed, the knowledge is forgotten and most likely the applicant, if retested at a later date, could not pass the examination again. This is true of *all* amateur examinations. The fact that amateurs are not re-tested after a specified length of time is a major shortcoming in the amateur examination process. As a result, we now have amateurs that last sat for an exam and demonstrated their knowledge of radio *decades* ago. This is not complimentary to the purpose of the Amateur Service as set forth by the FCC, and should be changed.

The NCVEC argues that the lack of interest in CW has turned many prospective amateur operators away from the Amateur Service. I would argue that as other technologies surpass amateur radio (such as cellphones and the Internet) the service becomes less visible to the public, and as a result, the public would rather buy a cellphone or computer rather than sit for an amateur radio examination. It also occurs to me that CW is the second most popular mode out of the "thousands" the NCVEC says are in use by amateurs, and over half of all amateurs have passed at least one CW examination. So it would seem that the lack of interest among non-amateurs is appropriate. Why let someone have a license if they are not interested in what amateur radio entails?

IV. Morse proficiency is not an indication of a quality operator

By examining the enforcement letters issued by the FCC, one notices an obvious trend. HF phone operation and VHF repeater operators are routinely cited for allegations of interference, poor operating practice and other infractions of the Part 97 rules. If Morse proficiency (and usage by extension) is not an indication of a quality operator, then where are all the enforcement letters relating to CW operations? The fact is that they don't exist. CW operators have historically been one of the best self-regulated areas in the amateur service, requiring little or no intervention by the FCC for enforcement issues.

V. Morse proficiency should not be required to operate in the voice mode

By the same token, should prospective digital operators or CW operators be required to be knowledgeable about SSB, AM and Phone? The current examination elements include questions on CW procedural signs, technical questions relating to emission designators, and other mode specific questions. The current examination process encompasses a general overview of what an operator would encounter and is expected to know to comply with the scope and purpose of Amateur Radio operators as set forth in Part 97. If we begin segregating our testing by applicable modes based on assumed usage, then we will needlessly make the licensing process more complex—something the NCVEC wishes to avoid.

Entry level operators in the Amateur Service have historically been examined on all of what Amateur Radio has to offer. How can one develop and nurture any knowledge, much less develop a specialty, without a broad-based introduction to the Amateur Radio world? We may in fact lose operators if single mode testing is introduced, as some operators may never learn about some modes due to their exclusion from the testing process. The new ham may think that HF Amateur Radio is nothing but SSB, and after two or three years get bored, and leave. At least under the current examination structure, the new ham has a general idea about what they like, and don't like.

VI. An unnecessary burden upon the VEC system

Morse testing has been an integral part of the licensing structure since the birth of Amateur Radio. Why is the NCVEC just now saying that it is a burden? In times past the NCVEC administered 5, 13, and 20 WPM Morse tests without complaint. Now a single 5 WPM test for all license classes is too much of a burden? The NCVEC, when it accepted the responsibility for overseeing the examination process, agreed to accept that burden and has carried it ever since the FCC turn over the examination process to the NCVEC.

Perhaps it is time to examine whether or not the NCVEC should continue to administer examinations for the Amateur Service if they are no longer willing to accept the burden placed on it by Part 97. As the author has stated before, *all* testing is a burden, and if the NCVEC does not want to accept the burden, then maybe the amateur community and the FCC should find another organization willing to accept it.

VII. An unnecessary burden upon the amateur service community

As stated before, currently at least 52% of all amateur radio operators have taken at least one Morse code examination. *All* amateurs wishing HF privileges have been forced to demonstrate a knowledge of Morse since the birth of amateur radio *nearly 100 years ago*. So after nearly 100 years, and in light of the current population of amateur operators, it remains to be seen how the Morse requirement is a burden.

VIII. An unnecessary burden upon the FCC

It would seem to me that if the FCC felt that physician waivers were a substantial burden it would take action on its own to remedy the situation. It has not, and furthermore, has expanded the means by which amateurs can take the Morse examination in order to allow the NCVEC more flexibility in examinations. This therefore should reduce the number of physician waivers issued. So in reality, the waiver situation is one of the NCVEC's own creation—the NCVEC has many options as to how to administer the Morse examination, but refuses to take them, because to do so would remove the waiver issue from the table.

IX. World Administrative Radio Conference 2003

As stated above, the Morse requirement predates any international treaty and as such, should be considered independently of any treaty obligations lessening the requirements for the Amateur Service. For nearly 100 years, the Amateur Radio Service in the United States has been a driving force behind the global advancement of the radio art. Just because an international organization determines that Morse is not longer required, does not mean that it is in the best interests of the United States to remove said requirement. The current Part 97 does quite a good job supporting the scope and purpose of amateur radio in this country. Any changes to it should be done for the betterment of the operators here in the United States...not as a "me too" reaction to an international proceeding. Sometimes the best and simplest rule changes are the ones that are not made in the first place.

Author's Thoughts and Opinions

Notwithstanding the above, I realize that compromise is an important part of any democratic process. I cannot in good faith support the total, complete, and immediate removal of Morse testing--even though I rarely use the mode in question. This will only create resentment among the ranks of existing licensees and further fracture the Amateur radio community in the United States. After 15 years of well-intentioned changes, we have been left with a mish-mash of grandfathered privileges, discontinued license classes, and inconsistent licensing requirements within each class. My suggestions are as follows:

- Immediately convert all Novice licensees to Technicians.
- Reallocate ½ of the existing Novice CW HF allocation and ¼ of the existing General SSB allocation in each band to allow SSB voice with PEP levels less than 100 watts for all

Technician (and by extension converted Novice) licensees. The remaining Novice CW allocation should be renamed to the Technician CW allocation.

- Immediately convert all Technician Plus licensees (with proof of Tech-Plus status) to General class and delete all Technician Plus class band allocations.
- Immediately convert all Advanced class licensees to Amateur Extra class and delete all Advanced class band allocations.
- Leave the Morse examination requirement in place at 5 WPM for General and Amateur Extra class licensees.

This approach would be a good compromise for the following reasons:

- Streamlines the number of license classes from 6 to 3.
- Provides a no-code entry level HF access point.
- Maintains the code requirement for higher-class licensees.
- Resolves the outstanding question as to what to do with the existing Novice CW allocation.
- Grants to all license levels more frequency available for SSB operation.
- Maintains CW allocations for higher-class licensees.

The FCC should view this as an opportunity to bring amateur radio regulations and licensing into the 21st century, while keeping the strong traditions of the Amateur Service intact.

I thank the Commission for its' time.

Sincerely,

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